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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

KANG, PAUL H

ART UNIT	PAPER NUMBER
	2141

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/650,512	SILVA ET AL.	
	Examiner	Art Unit	
	Paul H Kang	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 31 March 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7,9-16,18-25,27-34,36-43,45-52,54-61,63-70,72-79 and 81-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7,9-16,18-25,27-34,36-43,45-52,54-61,63-70,72-79 and 81-90 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. attached.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Examiner Khosravan is no longer the examiner of record in the present patent application. This application is now assigned to Examiner Paul H. Kang. In examining this 5 patent application, full faith and credit has been given to the search and action of the previous examiner. See MPEP § 719.05.

Status of Claims

Claims 8, 17, 26, 35, 44, 53, 62, 71 and 80 have been cancelled. Claims 82-90 are newly 10 added. Claims 1-7, 9-16, 18-25, 27-34, 36-43, 45-52, 54-61, 63-70, 72-79 and 81-90 are now pending.

Terminal Disclaimer

The terminal disclaimer filed on March 31, 2004 (paper no. 6) disclaiming the terminal 15 portion of any patent granted on this application which would extend beyond the expiration date of copending application no. 09/650,114 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections ~ 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- 5 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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Claims 1-3, 5-6, 9-12, 14-15, 18-21, 23-24, 27-30, 32-33, 36-39, 41-42, 45-48, 50-51, 54-57, 59-60, 63-66, 68-69, 72-75, 77-78 and 81-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer et al., InfoBeans – Configuration of Personalized Information Services, IUI99, pages 153-156, and further in view of H. Mizutani, “New Error Correcting Method for BCH Code using Neural Networks,” Circuits and Systems, 1998. IEEE APCCAS, 24-27 Nov. 1998, Pages: 479 – 482, hereafter referred to as Mizutani.

As per claims 1, 19, 46, 64, and 73, Bauer discloses a method for creating a personal web view comprising of creating a plurality of web clippings, the personal view comprising a plurality of web clippings, each web clipping containing information from an associated one of a corresponding plurality of web pages, each web page being selected by a user from essentially any accessible web page on any web server (Bauer, Page 153, paragraph 5; Figure 1), each of the plurality of web clippings being created by: generating an access script to automatically retrieve the web page associated with the web clipping and generating an extraction expression to extract one or more user-selected

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information elements from the web page associated with the web clipping (Bauer, Page 153, paragraph 5; Figure 1), and

incorporating the access script and the extraction expression into a specification of the associated web clipping (Bauer, Page 153, paragraphs 6 & 7; Page 154, paragraph 1 & 2; Page 5 155, paragraph 6),

incorporating the specification of each web clipping into a specification of the web view and storing the specification of the web view, wherein the stored specification of the web view is replayed and active, the plurality of web pages are automatically retrieved and the selected one or more information elements from each web page are extracted and incorporated into each 10 associated web clipping and the plurality of web clippings are combined for display in a browser (Bauer, Page 153, paragraph 7; Page 156, paragraphs 1-3).

However, Bauer does not explicitly teach a system and method where the extraction expression generated for one or more of the web clippings includes redundancy to insure that when the web view is replayed the one or more information elements extracted from the 15 retrieved one web page associated with the one web clipping are the actual user-selected information elements.

In the analogous art of network management and data redundancy, Mizutani teaches an error detecting method and error correcting method for sending data. Mizutani sends redundant data and errors are detected and corrected (Mizutani, Page 479, paragraph 1).

20 It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the system and method of redundancy in sending data to check for errors in the system, as taught by Mizutani, into the system of Bauer because it is important that

data transmitted through a network is free of errors so that the data received is the correct information (Bauer, Page 479, paragraph 1).

As per claims 10, 28, and 55, Bauer discloses a method of displaying a personal web

5 view comprising of accessing a specification of the personal web view, the personal view comprising a plurality of web clippings, each web clipping containing information from an associated one of a corresponding plurality of web pages that have been individually selected by a user from essentially any accessible web page on any web server (Bauer, Page 153, paragraph 5; Figure 1),

10 the specification of the personal web view containing a specification for each of the plurality of web clippings, automatically retrieving the web page associated with each web clipping in accordance with an access script to retrieve that web page that is associated with the specification of the web clipping (Bauer, Page 153, paragraph 7; Page 156, paragraphs 1-3),

extracting one or more user-selected information elements from each web page in

15 accordance with an extraction expression in the specification of each associated web clipping to create a displayable web clipping containing those elements, the extraction expression associated with each web clipping indicating the one or more user-selected information elements from the associated web page to be included in the web clipping, and combining and displaying in a browser the plurality of web clippings containing the extracted information elements from the

20 plurality of associated retrieved web pages (Bauer, Page 153, paragraphs 6 & 7; Page 154, paragraph 1 & 2; Page 155, paragraph 6).

However, Bauer does not explicitly teach a system and method where the extraction expression generated for one or more of the web clippings includes redundancy to insure that when the web view is replayed the one or more information elements extracted from the retrieved one web page associated with the one web clipping are the actual user-selected 5 information elements.

In the analogous art of network management and data redundancy, Mizutani teaches an error detecting method and error correcting method for sending data. Mizutani sends redundant data and errors are detected and corrected (Mizutani, Page 479, paragraph 1).

It would have been obvious to one of ordinary skill in the art at the time the invention 10 was made to incorporate the system and method of redundancy in sending data to check for errors in the system, as taught by Mizutani, into the system of Bauer because it is important that data transmitted through a network is free of errors so that the data received is the correct information (Bauer, Page 479, paragraph 1).

15 As per claim 37, Bauer teaches a memory for storing a specification of a personal web view for execution on a browser comprising a data structure store in the memory where the data structure includes information for automatically retrieving a plurality of predefine web pages that have been selected by a user from essentially any accessible web page on any web server, information for extracting user-selected information content from the plurality of web pages, and 20 information for displaying the extracted information content from the plurality of web pages together as the web view in the browser (Bauer, Page 153, paragraphs 5-7; Figure 1; Page 154, paragraph 1 & 2; Page 155, paragraph 6: Bauer teaches a standard web-browser running dynamic

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HTML and JavaScript. Bauer further teaches a server side specialized proxy service where it handles HTTP requests as well as a specialized protocol used during PBD and InfoBean configuration sessions. The client has built-in functionality for adapting HTML-pages).

However, Bauer does not explicitly teach a system and method where the extraction
5 expression generated for one or more of the web clippings includes redundancy to insure that when the web view is replayed the one or more information elements extracted from the retrieved one web page associated with the one web clipping are the actual user-selected information elements.

In the analogous art of network management and data redundancy, Mizutani teaches an
10 error detecting method and error correcting method for sending data. Mizutani sends redundant data and errors are detected and corrected (Mizutani, Page 479, paragraph 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the system and method of redundancy in sending data to check for errors in the system, as taught by Mizutani, into the system of Bauer because it is important that
15 data transmitted through a network is free of errors so that the data received is the correct information (Bauer, Page 479, paragraph 1).

As per claims 2, 11, 20, 29, 38, 47, 56, 65, and 74, Bauer-Mizutani teaches the claimed invention above and further discloses wherein at least one of the web pages is directly retrievable
20 through a specified URL which is incorporated into the access script to retrieve that web page (Bauer, Figure 1; Page 153, paragraph 1: The user enters the URL of the reservation service).

As per claims 3, 12, 21, 30, 39, 48, 57, 66, and 75, Bauer-Mizutani teaches the claimed invention above and further discloses wherein at least one of the web pages is retrievable through a specified site description which incorporated into the access script to retrieve that web page (Bauer, Figure 1; Page 153, paragraph 7; Page 154, paragraph 12: The InfoBean contains input and output channels used to receive and pass information between web pages. Furthermore, a wrapper action is performed in order to gather the specified information for delivery from the documents).

As per claims 5, 14, 23, 32, 41, 50, 59, 68, and 77, Bauer-Mizutani teaches the claimed invention above and further discloses wherein the layout of the web clippings within the personal web view is incorporate in the specification of the web view (Bauer, Page 153, paragraph 8; Page 156, paragraph 5; Figure 1: The user is able to add or change the InfoBeans. The user interface for configuring and using InfoBeans is a standard web-browser running dynamic HTML and JavaScript).

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As per claims 6, 15, 24, 33, 42, 51, 60, 69, and 78, Bauer-Mizutani teaches the claimed invention above and further discloses wherein the extraction expression generated for one or more of the web clippings comprises a DOM address of one or more information elements extracted from the retrieved one web page associated with the one web clipping (Bauer, Pages 155-156: The user can select portions of the document which is then mapped to a parse tree. The user can also enrich the extraction document by adding key words and tags to better characterize the user's navigation through the document as well as string matching operations).

As per claims 9, 18, 27, 36, 45, 54, 63, 72, and 81, Bauer-Mizutani teaches the claimed invention above and further discloses wherein the redundancy comprises at least one string associated with one or more information elements extracted from the retrieved one web page 5 associated with the one web clipping (Bauer, Page 155-156" Bauer teaches additional tags like <WORD> and <SENTENCE> that are used to better characterize the user's navigation through the document as well as features extending the interactive functionality of the page).

Claims 4, 13, 22, 31, 40, 49, 58, 67, and 76 are rejected under 35 U.S.C. 103(a) as 10 being unpatentable over Bauer-Mizutani, and further in view of Kisor (US 5,809,250).

Bauer-Mizutani teaches the claimed invention above but does not explicitly teach wherein at least one of the web pages is retrievable through a specified smart bookmark that is incorporated into the access script to retrieve that web page.

15 In the same field of endeavor, Kisor teaches a method of capturing, editing, and sharing a web browsing session. Kisor further teaches a software program that launched during a web browsing session that creates a map file so as to keep information needed to associate a protocol call to the file or files downloaded in response to the protocol call (Kisor, Col. 1, lines 30-38).

It would have been obvious to one of ordinary skill in the art at the time the invention 20 was made to combine the teachings of Kisor in the invention of Bauer-Mizutani, because Kisor would allow the users of Bauer-Mizutani's system to capture their web browsing session for replay at a later time. Furthermore, the session file could be communicated to one or more users

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that are remote temporarily, geographically, or both. The session files further provides protocol calls to a user's local browser thus replaying the recorded browsing session as edited or annotated (Bauer, Col. 1, lines 7-9 & 30-47 & 58-61).

5 **Claims 7, 16, 25, 34, 43, 52, 61, 70, and 79, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer-Mizutani, and further in view of The World Wide Web Consortium (W3C) (www.w3c.org/XML).**

As to claims 7, 16, 25, 34, 43, 52, 61, 70, and 79, Bauer-Mizutani teaches the claimed
10 invention above and further discloses HyQL, a SQL-like WWW query language that supports flexible selection of document parts in HTML format (Page 155, paragraph 6).

However, Bauer-Mizutani does not explicitly teach the web clippings comprising XPATH expressions, which is a language for addressing parts of an XML document. In the same field of endeavor, W3C teaches a system and method for using XPATH expressions to extract
15 hypermedia from remote websites (see www.w3.org/TR/xpath).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of XPATH in the extraction of portions of web documents, as taught by W3C, into the web document extraction system of Bauer-Mizutani, for the purpose of providing flexibility and ease of extracting and addressing parts of a web document.

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Claims 82-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer-Mizutani, and further in view of Nakabayashi et al., US Pat. No. 5,905,866.

As per claims 82-90, Bauer-Mizutani teach the invention substantially as claimed.

However, Bauer-Mizutani does not explicitly teach a system and method wherein the specification of at least one Web clipping also incorporates an associated user-specified or
5 default refresh rate so that when the stored specification of the Web view is replayed and active, the Web page associated with the at least one Web clipping that has an associated refresh rate is automatically and independently retrieved at that rate to refresh the information in that Web clipping from that Web page in the Web view.

In the same field of endeavor, Nakabayashi teaches a data-update monitoring system
10 wherein Web clippings are extracted according to a predetermined user refresh rate (Nakabayashi, col. 53, line 21 – col. 54, line 18). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the periodic update of web clippings, as taught by Nakabayashi, into the web clipping service of Bauer-Mizutani for the purpose of automatically updating data objects according to user preference in
15 order to prevent stale data.

Response to Arguments

Applicant's arguments filed March 31, 2004 have been fully considered but they are not persuasive. The applicants argue in substance that:

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A) “[T]he error correcting for a BCH code taught by Mizutani has nothing at all to do with including redundancy in an extraction expression for a web clipping ‘to insure that when the

- Web view is replayed, the one or more information elements extracted from the retrieved Web page that is associated with the at least one Web clipping are the actual user-selected information elements.' Rather, the redundancy data being sent with the coded data as noted in Mizutani is additional data that is transmitted with coded data for correcting errors that occur in the transmission of the data from a transmitter to a receiver, addressing the problem of correcting for errors in received data due to transmission impairments. The issue addressed in applicants claimed invention is not that the information extracted from a retrieved Web page may be incorrectly transmitted. Rather the issue addressed is whether the extracted information from the Web page is in fact the information that the user had selected for inclusion on the Web view."
- 10 See Remarks, pages 41-42.

In response to point A), applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., redundancy information for data identification for determining whether the extracted information from the Web page is in fact the information that the user had selected for inclusion on the Web view.) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicants argues limitations which are not essential to the scope of the prior art. The claims have been given the broadest reasonable interpretation consistent with the specification and the prior art during the examination of this patent application, since the applicant may then amend his claims, the thought being to reduce the

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possibility that after a patent is granted, the claims may be interpreted as giving broader coverage than is justified.

Here, the applicants assert that the newly amended claim limitation "*wherein the extraction expression generated for at least one Web clipping includes redundancy to insure that when the Web view is replayed the one or more information elements extracted from the retrieved Web page that is associated with the at least one Web clipping are the actual user-selected information elements*" necessarily requires interpretation as being for data identification, and only data identification, and not error detection functions.

However, when giving the claims broadest reasonable interpretation, the claim element is not limited merely to data identification. The applicants' use of the word "redundancy" combined with the broad limitation "actual user selected information elements" leads to interpretations beyond data identification to include redundant error detection. Therefore, the teachings of Bauer-Mizutani as applied teach the invention as claimed, including "redundancy" to ensure that the data extracted are the "actual" user-selected information elements (that the retrieved data is free of error, i.e. the actual user-selected information elements. Also note that data identification itself is a sort of error detection, albeit not as sophisticated as that taught in the prior art).

Insofar, applicant's arguments regarding data identification are not given weight as to the patentability of the claimed subject matter.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

5 A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37
10 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the
15 examiner should be directed to Paul H Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



PAUL H. KANG
PRIMARY PATENT EXAMINER